

Official Minutes

A regular meeting of the Town Board of the Town of Lima, County of Livingston and the State of New York was held at the Town Hall, 7329 East Main Street, Lima, New York, on the **7th day of May 2019** at 6:00 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

PRESENT: Supervisor, Michael Falk
Deputy Supervisor, Ian Adams
Councilperson, Cathy Gardner
Councilperson, Bruce Mayer
Councilperson, Bill Carey
Councilperson, Dan Marcellus
Deputy Town Clerk, Mary Smith
Town Attorney, James Campbell

EXCUSED: Highway Superintendent, Keith Arner
Town Clerk, Jennifer Heim

Guest(s): Tom Simpson and Barbara Van Zandt

Call the Meeting to Order

Supervisor Falk called the meeting to order at 6:00 P.M. followed by the Pledge of Allegiance.

Supervisor's Report

Supervisor Falk mentioned receipt of said report. On a motion by Councilperson Gardner to accept the Supervisor's report, seconded by Councilperson Carey, the vote went as follows:

CARRIED: Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
Nays: 0

April 2nd Town Board Minutes

Minutes from the April 2nd Town Board meeting were approved, upon motion by Councilperson Mayer, seconded by Councilperson Gardner, the vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
Nays: 0

Audit of Claims/Abstracts

Resolved that the bills contained on Abstract #5 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 115 through 153	\$31,288.09
Water Funds 1, 2, &3:	No. 14 through 16	\$ 3,157.81
Highway Funds:	No. 67 through 82	\$18,377.38

On a motion by Councilperson Gardner, seconded by Councilperson Marcellus, the vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
 Nays: 0

Building Inspector/Code Enforcement Officer Report

Charlie Floeser reported 7 building permit inspections were completed in April. Discussion on condition of 6577 Woodruff Road took place. There were roof leaks causing peeling paint. Question was asked if there were any conditions that would prevent occupancy. It would not be rentable to a tenant but could be owner occupied. It is currently being restored back to a 1 family.

CEO Floeser stated that he has served Harper Park with an appearance and they are to respond by May 8th. People are moving out and leaving derelict trailers. There have been inquiries for zoning variations. A bank client has ordered a zoning audit. It is possibly for a 2nd mortgage or preparing for selling. Attorney Campbell is working with Building Inspector Charlie Floeser. CEO Charlie Floeser will review zoning permits open for 1-2 years that are expired and work on closing them out. Open projects from this year are all open for next month.

Town Water Report

Supervisor Falk discussed the water report. District #1 had no issues, chlorine 0.06%. Meter was replaced at 7886 Martin Rd. Meter also replaced at 1122 Ideson Road. District #2 has ongoing issue with Coats and Meisenzahl meters. District #2 is in the process of meter replacement project. District #3 has no issues.

Highway Superintendent Arner has found the meter pit on the Coates Property but there are no records of charges since installation. There are several options to get this account back on track. We can go back 3 years and charge the minimum or ask for up-front payment. Having water on site may have an advantage for future uses or possible future sale. Right now it does not have an agricultural exemption, it is considered undeveloped land.

Attorney Jim Campbell said we should try to avoid conflict by treating this case differently. The cost to disconnect the water is approximately \$1,500. The building was never on the tax rolls, but depending on future use of the building keeping it for storage and bathrooms could be advantageous. Supervisor Falk will ask Highway Superintendent Arner to get costs together to determine which would be best way to proceed.

Guest(s) Discussion

Mr. Simpson referred to a Livingston County News article which says there will be increased revenues in Towns that allow solar farms. Tom Simpson is in favor of Solar Farms. Not happy with his assessment increase of 10%. Has seen increase in revenue to other towns from solar farms. Councilperson Gardner explained our thinking that valuable agricultural land should not be used for solar. What is not wanted are solar panels not being used. Such panels should be taken down if out of use for 1 year.

Mr. Simpson brought up small bridge out on 5 & 20. It was explained to him that it is a foot bridge and is on State property and we can do nothing to it but put up a sign to stay off the bridge.

Large Scale Solar Installation Law

Attorney Campbell explained the timeline to complete the adoption of a local law before the moratorium expires on July 2nd. Local Law referred to County for their Meeting Thursday May 9th at the Government Center in Geneseo. Councilperson Mayer made a motion to have a public hearing on June 4th. Motion seconded by Councilperson Gardner. The vote went as follows:

CARRIED: Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
 Nays: 0

Attorney Campbell opened a discussion on battery storage facilities. He feels that this is coming on the heels of solar energy. These batteries are the size of tractor trailers. These batteries are independent of solar generation.

NYSERDA is working on guide lines on storage; there have already been inquiries on 15-20 units. Town of Lima should be thinking about parameters on placement on land, such as property line setbacks, etc. Councilperson Gardner and Attorney Campbell will work together on getting some thoughts started on this.

Supervisor Falk stated that we here in upstate are lucky because our energy costs are much lower than in other parts of the State. It is possible that some time in the future there may be a decision to sell stored energy through the transmission lines already established.

Complete Streets Resolutions – PB Review

Review will be presented by George Gotcsik at next Planning Board Meeting.

Post Office

Nothing new to report.

Communications

No communications.

Library Roof

Contract has been given out with a July start date. No word on grant.

Village Water Project

Supervisor Falk received the following e-mail from Mayor Luft: We have divided up the project into three phases. (1st) the emergency supply line to Avon water tank. The engineer is now working on the design stage and requirements needed to continue on the grant process. We hope to have this stage completed and installed by the end of this year. (2nd) stage will be the tower work and (3rd) the main water main replacements. Stage 2 and 3 will start next year.

Review Website Projector

Councilperson Marcellus did a presentation on the projector showing the new home page that is being worked on for the Town Website as to data and design. Subjects shown are the most popular ones as determined from the old website. Links will just as on old website. New website will have a secure certificate. He is asking Board members to go on new site and see what may be missing as they use it. He will supply a form that they can fill out and send

back on anything thought missing or needed to change. He will e-mail a link and requests that survey be completed. This should be completed in a couple of weeks. It was suggested that some new pictures be included featuring south Lima. We may think about using a professional photographer.

Town Hall Hazardous Materials Study

Falk mentioned the RFP's have gone out.

Planning Board Appointment Recommendations

George Gotcsik recommends Wayne Childs to fill out the balance of the term left vacant by George Harvey, Jacob Button as an Alternate with a full term and Andy Britton as Vice Chairman. Motion was made by Councilperson Mayer and seconded by Councilperson Gardner to accept nominees as suggested by Mr. Gotcsik. Vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Garner, Carey, Marcellus
 Nays: 0

Investment Policy

Policy was circulated for signatures. Motion to accept policy as presented was made by Councilperson Gardner, seconded by Councilperson Carey. The vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
 Nays: 0

Procurement Policy

Policy was updated for 1 year. Document was circulated for signatures. Motion to accept policy as presented made by Councilperson Gardner and seconded by Councilperson Marcellus. Vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
 Nays: 0

Memo(s) From Ag Committee be Included in the Minutes

None received.

Economic Development Contract

Cost is shared by Village & Town. Councilperson Gardner stated well worth benefits received. Cost to Town is \$2,000. Motion to approve made by Councilperson Carey, seconded by Councilperson Mayer, the vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
 Nays: 0

Resolution to Dissolve Joint Summer Recreation Program with Village

Supervisor Falk stated that we do not have a copy of agreement so Town cannot dissolve without agreement. Searches are being conducted to find a copy of the agreement. Councilperson Mayer thinks there may be a balance left in the account and wondered if it should be split.

Camera System Upgrade

Supervisor Falk said there are no cameras at Courthouse. Possibly the Court could provide some funds. To add additional cameras to Town Hall we would need to upgrade the DVR. We would also need to add 1 more camera to see down into the back parking lot. There was discussion about also adding a camera at the highway garage. A Motion to upgrade the Town Hall camera system and place the existing DVR at the highway garage, motion by Councilperson Carey, seconded by Councilperson Mayer. The vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus
 Nays: 0

Attorney Fee Recovery

Councilperson Gardner presented an item being used in other town to recoup some of the attorney fees spent on Planning and Zoning issues when working on proposed expansions in the town. Attorney Campbell said that the Town of Avon uses this recovery process. Councilperson Gardner worked up an estimate for 4 projects recently involving such fees and the total this year adds up to \$1340 and wonders at what point do the fees get charged to the applicant. Attorney Campbell said that it could be incorporated with code and recommended this avenue. Should it be put into escrow was another avenue. What would be a reasonable estimate of costs? Attorney Campbell and Councilperson Gardner will work together on an agreement.

Intermunicipal Highway Department Agreement

Agreement was made the 7th day of May, 2019 between the Town of Lima and the Village of Lima. Agreement was signed by Supervisor Falk and Mayor Luft. Motion to accept agreement as presented made by Councilperson Mayer, seconded by Councilperson Gardner. The vote went as follows:

CARRIED Ayes: 5 Falk, Mayer, Gardner, Carey, Marcellus

Nays: 0

Part-Time Highway Office Help

Meeting went into Executive Session and Deputy Clerk was excused.

Executive Session

Motion by Councilperson Mayer to move into executive session 7:38PM, seconded by Councilperson Carey the vote was unanimous.

Move out of Executive Session

Motion by Councilperson Mayer to move out of 7:55PM, seconded by Councilperson Marcellus, the vote was unanimous.

No Action Taken

Upon Motion by Councilperson Carey to adjourn at 7:58 PM, seconded by Councilperson Mayer, the vote was unanimous.

Respectfully Submitted by:

Mary Smith
Deputy Clerk

